

MARCH 21, 2011

A Regular Meeting of Mayor and Council was convened at 8:00 p.m. on March 21, 2011 in Council Chambers of Borough Hall with Mayor Dempsey presiding.

Mayor Dempsey stated that this meeting is being held in accordance with the Open Public Meetings Act of 1975 and that notice was given to the Coast Star and the Asbury Park Press on December 21, 2010.

Mayor Dempsey welcomed the audience and invited them to join in a moment of silent prayer and a salute to the Flag.

ROLL CALL: Present: Council Members Connolly, Donovan, Grasso, Lee, Lucas and McCarthy

Absent: None

Also present was Borough Attorney James Kinneally, Borough Administrator/CFO Joseph DeLorio, and Borough Auditor Allen Shechter.

### **BUDGET INTRODUCTION & RELATED DOCUMENTS**

Mr. Shechter read Ordinance 2078-11 Calendar Year 2011 Ordinance to Exceed the Municipal Budget Appropriation Limits and Establish a CAP Bank. He stated that if this ordinance is not passed the Borough can not bank the amount of money that is under the appropriations spending to be used for 2 years. He stated that this would not affect the budget or the taxpayers, it is strictly a safety factor to allow the Borough to establish the CAP Bank to use for 2 years.

Council Member Donovan made a motion to introduce Ordinance 2078-11, seconded by Council Member McCarthy. Roll call was taken and the Motion carried unanimously.

Mr. Shechter advised that the Budget can now be read by title on introduction.

Mr. Shechter read the Budget by Title for introduction.

Council Member Lucas made a motion to introduce the Budget, seconded by Council Member Donovan. Roll call was taken and the motion carried unanimously.

### **CONSENT AGENDA**

### **RESOLUTION 66-2011**

**WHEREAS**, it has been determined by the Zoning Board Chairman John Burke and the Board Attorney that the following application has been closed and any unused funds returned back to the applicant:

Shawn Coffey 47 Clark Street. Blk 16 Lot 1.01

**AND WHEREAS**, the Chief Financial Officer has determined that the amount of unused escrow funds is \$25.00

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Manasquan, State of new Jersey that the Borough authorizes the Chief Financial Officer to return any unused escrow funds to the applicant as indicated above.

### **RESOLUTION 67-2011**

MARCH 21, 2011

**BE IT RESOLVED** by the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that:

**WHEREAS**, refunds for overpayments on the following tax bills are due on the below described property in the amount designated as follows:

BLOCK: 186.01 LOT: 10 NAME: Frank B. & June S. Diana

PROPERTY LOCATION: 401 First Avenue

AMOUNT OF REFUND: \$2049.42

REASON FOR REFUND: Refund for balance of overpayment

REFUND CHECK TO BE MADE PAYABLE TO:

Diana, Frank B. & June S.  
401 First Avenue  
Manasquan, N.J. 08736-3914

**WHEREAS**, the Tax Collector has certified that the current property owner is entitled to the refund.

**NOW, THEREFORE, BE IT RESOLVED** that the Chief Financial Officer is hereby authorized and directed to draw a warrant in the said amount to the above listed property with said warrant to be charged against the General Ledger.

**RESOLUTION NO. 70-2011**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH  
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,  
SETTING THE COMPENSATION FOR THE SHORE COMMUNITY  
ALLIANCE INTERIM COORDINATOR AND CONSULTANTS**

**WHEREAS**, the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

**WHEREAS**, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

**WHEREAS**, the Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Monmouth; and

**WHEREAS**, the Shore Community Alliance has retained Kristen Meyler, Denise Wegeman, Bill Schroeter, Megan Winchester and Leah Morton; and

MARCH 21, 2011

**NOW, THEREFORE BE IT RESOLVED** on the 21<sup>st</sup> day of March, 2011, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey that the Council does hereby authorize compensation for the period concluding December 31, 2011 as follows:

- |   |                  |
|---|------------------|
| 1. Interim Coordinator, Kristin Meyler                                    | \$36.00 per hour |
| 2. SHAPE and JCC Consultant,<br>Denise Wegeman                            | \$61.72 per hour |
| 3. BABES Consultants, Bill Schroeter,<br>Megan Winchester and Leah Morton | \$60.00 per hour |

**RESOLUTION  
71-2011**

**BE IT RESOLVED** by the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that:

**WHEREAS**, a refund of COAH Fees are due on the below described property in the amount designated as follows:

BLOCK: 191      LOT: 4    NAME: Christina Wright

PROPERTY LOCATION:    519 Brielle Road

AMOUNT OF REFUND:    \$1000.00

REASON FOR REFUND:    Refund of COAH Fees.  
Per homeowner request, refund to be applied to the  
outstanding taxes for the above property.

REFUND CHECK TO BE MADE PAYABLE TO:

Christina Wright  
c/o Borough of Manasquan  
201 E. Main Street NJ 08736-3004

**WHEREAS**, the Tax Collector has certified that the current property owner is entitled to the refund.

**NOW, THEREFORE, BE IT RESOLVED** that the Chief Financial Officer is hereby authorized and directed to draw a warrant in the said amount to the above listed property with said warrant to be charged against the General Ledger.

**RESOLUTION  
73-2011**

**BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, IN THE** County of Monmouth, New Jersey (not less than three (3) members thereof affirmatively concurring) as follows:

1. All bills or claims as reviewed and approved by the Administration & Finance Committee and as set forth in this Resolution are hereby approved for payment.

MARCH 21, 2011

2. The Mayor, Municipal Clerk and Chief Financial Officer are hereby authorized and directed to sign checks in payment of bills and claims which are hereby approved.

The computer print-out of the list of checks will be on file in the Clerk's Office.

CURRENT FUND	682,015.76
WATER/SEWER FUND:	102,433.56
BEACH FUND. :	46,020.44
GENERAL CAPITAL FUND:	9,328.25
WATER/SEWER CAPITAL FUND:	289,812.46
BEACH IMPROVEMENT FUND:	

**RESOLUTION  
75-2011**

**WHEREAS**, it shall become necessary to expend for some of the purposes specified in the budget, an excess of the respective sums appropriated, and

**WHEREAS**, there is an excess in one or more appropriation reserve over and above the amount deemed necessary to fulfill the purposes of such appropriations, and

**WHEREAS**, N.J.S.A. 40A:4-59 provides for the transfer of such amounts deemed in excess, to appropriations the amount of which are deemed to be insufficient to fulfill the purpose of such appropriations, and

**WHEREAS**, the transfers about to be authorized do not affect any appropriation reserves to which or from which transfers are prohibited under the statutes, and

**NOW, THEREFORE BE IT RESOLVED**, that the following transfers between appropriation reserves to be authorized pursuant to N.J.S.A. 40A:4-59:

**BE IT FURTHER RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the following transfer be authorized:

**CURRENT FUND**

TO:

Mayor and Council OE	300.00
Uniform Construction Code	100.00
OEM S/W	40.00
Parks and Playgrounds	3,300.00
Senior Transportation-SCAT	40.00
Total	<u>\$ 3,780.00</u>

FROM:

Landfill Costs	<u>\$ 3,780.00</u>
Total	<u>\$ 3,780.00</u>

**BE IT FURTHER RESOLVED**, that a copy of this resolution be filed forthwith with the Chief Financial Officer.

**RESOLUTION  
74-2011**

**WHEREAS**, N.J.S.A. 40:4-19 provides that where any contract, commitment or payments are to be

MARCH 21, 2011

made prior to the final adoption of the 2011 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, amend the Temporary Budget as approved through Resolution 8-2011 with the following appropriations:

**2011 TEMPORARY BUDGET**

<b>CURRENT FUND:</b>	<b>Salaries &amp; Wages</b>	<b>Other Expense</b>
Administrator	12,600.00	732.00
Governing Body	7,829.00	1,150.00
Municipal Clerk	51,356.00	34,849.00
Financial Administration	25,629.00	7,595.00
Audit Service		15,450.00
Collection of Taxes	24,392.00	6,715.00
Assessment of Taxes	19,521.00	1,507.00
Legal Services		46,305.00
Engineering Services		10,290.00
Planning Board	14,280.00	8,008.00
Code Enforcement	56,614.00	5,030.00
Zoning Office	15,300.00	
Construction Official	78,043.00	2,100.00
Electrical Inspection	6,100.00	
Plumbing Inspection	7,350.00	
Fire Inspection	1,996.00	
Insurance		665,737.00
Police	1,884,560.00	85,602.00
Emergency Management	5,638.00	3,689.00
Streets & Roads Maintenance	262,603.00	34,225.00
Maintenance of Borough Vehicles		36,870.00
Solid Waste-Recycling/Disposal	1,920.00	272,925.00
Public Buildings & Grounds		46,140.00
Shade Tree Commission		32,200.00
Traffic Lights		3,205.00
Board of Health	2,400.00	25.00
Animal Control		9,702.00
Environmental Commission		942.00
Recreational Commission	20,948.00	2,444.00
Landfill/Solid Waste Disposal		220,750.00
Parks & Playgrounds	73,807.00	15,728.00
Anniversary & Holidays		470.00
Waterways	25.00	2,884.00
Utilities		169,900.00
Contingent		1,000.00
Social Security & Medicare		110,677.00
Range Use - Howell		1,250.00
Drug Alliance OE	43,948.75	
Interlocal - Brielle Gasoline		49,100.00
Snow Removal		17,350.00
Municipal Court	72,506.00	80,472.00
Historical Sites Office		700.00
Public Defender		3,000.00
Aid to First Aid Organization		3,000.00
Municipal Prosecutor Office		24,050.00
Tourism	50.00	3,500.00
Accumulated Leave Compensation		100.00
PERS		97,124.00
PFRS		516,349.00
Unemployment Compensation Insurance		50.00
Prior Year's Bills		35,772.55

MARCH 21, 2011

<u>Outside Caps</u>		
Employee Group Health		22,072.00
Aid to Privately Owned Library		133,537.00
Police Mandated 911		7,784.00
Police Tactical Teams		1,050.00
Domestic Violence-CIT		1,500.00
LOSAP		10,000.00
Municipal Court – Brielle		118,570.72
Drunk Driving Enforcement Fund		4,428.22
Matching Funds for Grants		100.00
Recreational Trails Program		1,516.00
SFSP Fire District Payment		2,731.00
Private Donation – DARE		500.00
<u>Debt Service</u>		
Payment of Bond Principal		125,000.00
Payment of BANs		195,360.15
Interest on Bonds		39,987.50
Loan Repayments for Principal		125,000.00
Ordinance 1724/1844/1859-Borough Hall		184.00
Ordinance #1942-Sea Watch		63,539.07
Ordinance #1905-Sidewalks		143.00
Ordinance #1949 Parker Avenue		69,133.93
Reserve for Uncollected Taxes		568,938.29

**WATER/SEWER UTILITY FUND**

Salaries and Wages	352,880.00	
Other Expense		415,178.12
SMRSA		639,027.22
Social Security & Medicare		10,060.00
Capital Improvement Fund		65,000.00
Improvement of Public Property		4,000.00
Fire Hydrants		20,000.00
<u>Debt Service</u>		
Payment of BANs		138,250.00
Interest on Notes		3,200.00
SMRSA Debt Service		64,212.66
NJEIT – Principal		302,855.26
NJEIT – Interest		66,575.00
<u>Capital Improvements</u>		
Tools and Equipment		2,500.00
Valve Replacements		15,000.00
Deferred Charges		
Ord: Water Main Perrine Blvd.		77,171.78
Statutory Expenditures		
PERS		89,195.40
Social Security		37,102.50

**BEACH UTILITY BUDGET**

Salary and Wages	626,861.00	
Other Expenses		429,121.00
Capital Improvement Fund		100,000.00
Ordinance 2001/2013-Comfort Station and Beach Rake		286,636.06
PERS		11,892.72
Social Security		64,087.00
Surplus (General Budget)		50,000.00

MARCH 21, 2011

**RESOLUTION  
68-2011**

**BE IT RESOLVED** by the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that:

**WHEREAS**, Redemption of Tax Title Lien is due on the below described property in the amount designated as follows:

BLOCK: 186.02 LOT: 2 NAME: Kathleen McNee

PROPERTY LOCATION: 573 ½ Perch

AMOUNT: \$19,044.34

REASON: Redemption of Tax Title lien

CHECK TO BE MADE PAYABLE TO:

US BANK-CUST/SASS MUNI VI DTR  
TAX LIEN SVC GR 2 LIBERTY PL  
50 S 16<sup>TH</sup> St STE#1950  
PHILADELPHIA, PA 19102-2517

**WHEREAS**, the Tax Collector has certified that the current Lienholder is entitled to the redemption monies.

**NOW, THEREFORE, BE IT RESOLVED** that the Chief Financial Officer is  
Hereby authorized and directed to draw a warrant in the said amount to the  
Above listed property with said warrant to be charged against the General Ledger.

**RESOLUTION  
69-2011**

**BE IT RESOLVED** by the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that:

**WHEREAS**, a return of Premium Paid at Tax Sale is due on the below described property in the amount designated as follows:

BLOCK: 186.02 LOT: 2 NAME: Kathleen McNee

PROPERTY LOCATION: 573 ½ Perch

AMOUNT : \$15,000

REASON: Return of premium paid at Tax Sale  
Tax lien redeemed

CHECK TO BE MADE PAYABLE TO:

US BANK-CUST/SASS MUNI VI DTR  
TAX LIEN SVC GR 2 LIBERTY PL

MARCH 21, 2011

50 S 16<sup>TH</sup> St STE#1950  
PHILADELPHIA, PA 19102-2517

**WHEREAS**, the Tax Collector has certified that the current Lienholder is entitled to the return of premium.

**NOW, THEREFORE, BE IT RESOLVED** that the Chief Financial Officer is hereby authorized and directed to draw a warrant in the said amount to the above listed property with said warrant to be charged against the General Ledger.

### **RESOLUTION 72-2011**

**WHEREAS**, the Eastmond Pavilion (Beach Station building) was constructed in 1953 and has demonstrated signs of disrepair to the point where annual renovations appropriations would outweigh the cost of constructing a new facility to meet the demands of an increased attendance at Manasquan Beach since the initial construction in the 1950s, and

**WHEREAS**, the Borough of Manasquan is desirous to plan for the replacement of the Beach Station located at Main Street and;

**WHEREAS**, the cost for planning and reconstruction would be paid through the beach utility budget and therefore sales of beach operations; and

**WHEREAS**, the cost of planning and construction would not be paid from the municipal current budget and therefore not be paid for by taxpayer dollars; and

**WHEREAS**, the Borough original resolution 64-2011 authorized an amount not to exceed \$24,200 requires an amendment,

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Manasquan amend Resolution 64-2011 to an amount not to exceed \$25,250, and

**BE IT FURTHER RESOLVED** that the Mayor and Council authorize the Administrator/Chief Finance Officer to sign and execute the contract noted in this resolution subject to the conditions above.

Council Member Lucas made a motion to approve the Consent Agenda, seconded by Council Member Grasso. Roll call was taken and the motion carried unanimously.

### **COMMITTEE REPORTS**

Law & Code Committee -- Council Member Grasso reported that for the first time in months the money paid to Manasquan Court is in the black. He stated that \$20,000 was collected versus \$10,775 of last year, which is an 86% from February 2009. He thanked the Governing Body with regard to the Budget process that took place last week in keeping in the advancement classes and also the tracking boards that will be worked on in the Code Department.

Council Member Grasso made a motion to advertise for a Sr. Clerk Typist position as Barbara Estlow is retiring on May 31, 2011, seconded by Council Member Lee. Roll call was taken and the motion carried unanimously.

He stated that there is a lot of work that needs to be done in the Code Department. He reported that the Taxi Ordinance should be looked at in light of the accidents in the Bronx and the NJ Turnpike and it is coming out that maybe the drivers didn't have the right credentials, vehicles were not correct and he believes it is very important that the Borough look into this ordinance. He stated that the Administrator does have some information for a proposed ordinance. He reported that he received a report from Captain Correia and it was stated that there were two (2) special officers on the beach over the weekend and there were 25 warnings written regarding dogs on the beach. He stated that Captain Correia advised that maybe the signage needs to be looked at to be more enforceable. He stated that the Borough did a pretty good job



MARCH 21, 2011

at cutting expenses and looking at ways to save the tax payers money and that the revenue end is really not being looked at. He suggested sitting down and looking at the revenues in each department. He stated that the Code Department was negative last year compared to the surrounding towns. He thanked everyone for the budget process.

Administration & Finance Committee – Council Member Connolly reported that a report was received from the Monmouth County Planning Board dated March 8, 2011 and out of 53 municipalities in the County 34 lost population. She stated that Manasquan was one of them and the population was decreased by 413 and the Borough now stands at 5,897 people as compared to 6,310. She stated that this is going to affect the State and they will be re-districting all over Monmouth County and that in the beginning of April the State should be notifying the towns in the various Districts.

Public Safety & Recycling Committee – Council Member Lucas reported that he and the committee members had a meeting with Chief Scimeca and he indicated that he would be taking medical leave beginning March 18, 2011. He stated that under N.J.S.A. 40A-14.118 the Borough Ordinance 220-19 authorizes the chair person of Public Safety Committee to designate Captain Correia to assume the responsibilities as Supervisor of the Police Department while Chief Scimeca is on medical leave.

Mr. DeIorio advised the Governing Body that the terminology to be used would be Officer In Charge.

Beach Committee – Council Member Lee reported that the Beach Department is accepting applications for employment which can be downloaded with a cut off date of March 31, 2011. He stated that the beach badges and parking decals are set to go on sale starting April 11, 2011 here at Borough Hall from 10 a.m. to 2 p.m. He stated that presently with the development of Stockton Lake Park which was a public/private entity working together, Little League, In-Line Hockey, Recreation and the Borough all pooled in money. He stated that Little League is looking to have the date changed in the lease. He stated that In-Line Hockey will make their final payment soon. He reported that as the Liaison for the BOE he is advising to keep a look out for their budget and that School Budget voting is April 27, 2011.

The Municipal Clerk advised that the applications for employment for the Beach are NOT posted on the website just the information of where to get them.

Council Member Lee made a motion to change the due date of the fee agreement with the MBLL to June 1, seconded by Council Member Donovan. Roll call was taken and the motion carried unanimously.

Public Property and Parks Committee – Council Member McCarthy reported that during the Work Session there was a detailed statement about the sub-committee report of the Planning Board and that he does have copies of the report for anyone who cares to look at it. He reported as to the Tourism Commission and thanked The Mill in Spring Lake Heights for their donation to sponsor the Memorial Day fireworks. He also stated that Mr. Wall is busy coordinating the concerts for Thursday nights at the Beach starting in mid June. He stated that with regard to Parks and Public Property he had a meeting with Council Member Grasso and Mary Ryan from MBIA and discussed some issues about the Police Department and dogs on the beach.

Public Works Committee – Council Member Donovan reported that the work on the Water Treatment Plant is continuing close to schedule and the decant tank has been completed. He stated that the DPW will be doing the spring leaf and brush pick up between April 25 and 29, 2011 and that leaves and brush which is 4' long, up to 3" in diameter and no grass. He stated that the spring fire hydrant flushing will be between April 18 and 20, 2011 and advised that there might be some discolored water and to let the water run and it should clear up. He advised that the Fool's Run is April 2, 2011 and hopes for good weather. He also stated that the Environmental Commission is working on several projects including a Beach Sweep, Dune Maintenance and Town Clean up with the dates being announced shortly. He reported that the dates will be on the town website and on the Environmental Commission's website.

## AUDIENCE PARTICIPATION

Council Member Connolly made a motion to open the meeting up to the public, seconded by Council Member Lee. Motion carried unanimously.

There was no audience participation.

MARCH 21, 2011

Council Member Connolly made a motion to close the public session, seconded by Council Member Donovan. Motion carried unanimously.

Council Member Donovan made a motion to close the regular meeting at 9:00 p.m., seconded by Council Member McCarthy. Motion carried unanimously.

Respectfully submitted,

*B. Ilaria*

Barbara J. Ilaria  
Municipal Clerk

DATE APPROVED 8-15-11